

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 08-00096 CW

JENS ERIK SORENSEN, as Trustee of
SORENSEN RESEARCH AND DEVELOPMENT
TRUST,

ORDER VACATING
CLERK'S ENTRY OF
DEFAULT

Plaintiff,

v.

AMPRO TOOLS CORPORATION; FRENWAY
PRODUCTS, INC.; AMPRO NORTH AMERICA
CORP.; and SCOTT WANG,

Defendants.

On February 10, 2009, the Court denied AmPro Tools' motion to dismiss and ordered it to file an answer by March 2. AmPro North America was required to file a response to Sorensen's first amended complaint by February 23. AmPro North America did not meet this deadline; and on February 26, Sorensen requested that the clerk enter default against it. On March 2, AmPro North America filed its answer. On March 3, the clerk entered default against AmPro North America.

AmPro North America argues that default should not have been entered because it mistakenly believed that it had until March 2 to file a response. AmPro North America erred in reading the Court's February 10 order, which applied only to AmPro Tools.

1 Nevertheless, the Court excuses this error, and vacates the clerk's
2 entry of default.

3 IT IS SO ORDERED.

4 Dated: 3/9/09



CLAUDIA WILKEN
United States District Judge